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APR 2 9 2003

GROUP 1600

Atty Docket No. 02307E-098010US

PTO FAX NO.:

(703) 872-9306

ATTENTION:

Examiner Robert Landsman

Group Art Unit 1600

TELEPHONE NO.:

OFFICIAL COMMUNICATION

FOR THE PERSONAL ATTENTION OF

EXAMINER ROBERT LANDSMAN

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of Zuker et al, Application No. 09/510,332, filed February 22, 2000 for T2R, A NOVEL FAMILY OF TASTE RECEPTORS is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

- 1. Petition to Withdraw Holding of Abandonment Under 37 C.F.R. 1.181
- Exhibit 1 True copy of the front page of the September 11, 2002
 Office Action
- Exhibit 2 -- True copy of the Docket Record of Annette S. Parent for December 8-15, 2002 and March 8-15, 2003

Number of pages being transmitted, including this page: 10

Dated: April 28, 2003

Todd Esker

PLEASE CONFIRM RECEIPT OF THIS PAPER BY RETURN FACSIMILE AT (415) 576-0300

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834

Telephone: 415-576-0200 Fax: 415-576-0300

SF 1455326 vi

I hereby certify that this correspondence is being sent by facsimile transmission to: the USPTO, Officer Robert Landsman at Fax No.: 703-872-9306.

00 4.28,03

Attorney Docket No.: 02307E-098010US Client Ref. No.: UC Case No. 2000-045-2

TOWNSEND and DOWNSEND and CREW D.B.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ZUKER et al.

Application No.: 09/510,332

Filed: February 22, 2000

For: T2R, A NOVEL FAMILY OF

TASTE RÉCEPTORS

Examiner: Landsman, Robert

Art Unit: 1647

PETITION UNDER 37 C.F.R. § 1.181(a) TO WITHDRAW HOLDING OF ABANDONMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants respectfully petition under 37 C.F.R. § 1.181(a) and MPEP § 711.03 to withdraw the holding of abandonment for the above-referenced patent application. The application went abandoned March 12, 2003 for failure to respond to an Office Action mailed September 11, 2002. Applicants request withdrawal of the holding of abandonment because the Office Action was not addressed and mailed to Applicants' representative, Annette S. Parent, an attorney at Townsend and Townsend and Crew, LLP in San Francisco, CA.

As evidence, the following items are enclosed herewith as Exhibits 1 and 2:

1. A true copy of the front page of the September 11, 2002 Office

Action.

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ZUKER et al. Application No.: 09/510,332

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2. A true copy of the Docket Record of the Applicants' representative, Annette S. Parent, for the period where the non-received Office Action would have been entered had it been received and docketed (December 8-15, 2002 and March 8-15, 2003).

REMARKS

The Office Action in question was improperly sent to the wrong law firm by the Patent Office, as shown in Exhibit 1. Due to PTO error, Applicants did not receive the Office Action until Examiner Robert Landsman faxed a copy to Townsend and Townsend and Crew on March 13, 2003. (See fax date at the top of Exhibit 1). This was two days after the final deadline for a response. Consequently, Applicants' representative had no notice of the Office Action during its pendency, as evidenced by Exhibit 2.

The PTO apparently mailed the Office Action to Pillsbury Winthrop, LLP because of a change of correspondence address filed by the Pillsbury law firm. However, that change of correspondence should never have been entered by the PTO because the Pillsbury law firm did not have power of attorney for this application.

The undersigned notes that another Townsend and Townsend and Crew, LLP attorney, Matthew Hinsch, had a conversation with William Dixon of the Petitions Office indicating that these facts are appropriate for withdrawal of the holding of abandonment.

Applicants contend that, the evidence provided herein establishes that due to PTO error, Applicants did not receive the Office Action, mailed September 11, 2002, during its pendency. Applicants therefore request the following:

- 1) As the misdelivery of the Office Action was due to the actions of the PTO, Applicants respectfully petition under 37 C.F.R. § 1.181(a) and MPEP § 711.03 to withdraw the holding of abandonment. Petitions filed under these provisions do not require a fee.
- 2) As the Applicants have not yet had an opportunity to respond to the September 11, 2002, Office Action, Applicants respectfully request the reinstatement of

PATENT

ZUKER et al.

Application No.: 09/510,332

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the statutory reply period, effective from the date of the Examiner's response to this correspondence.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully automitted,

Todd Esker Reg. No. 46,690

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: 415-576-0200

Fax: 415-576-0200

TIE:tle SF 1454839 v1

EXHIBIT 1

03/13/03 THU 13:46 FAX 703 305 7401

GP 1800 FAX MACHINE 8

2002



United States Patent and Trademark Office

United States Department of Commence United States Pathan and Tradement Office Address Champsoners of Patents and Trademarks Weshington, D.C. 2028

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.			
09/510,332	02/22/2000	Charles S. Zuker	2307E-98010US	ZAMINER MAN, ROBERT S PAPER NUMBER			
909 75	90 09/11/2002	•					
	WINTHROP, LLP	5XAMINER					
P.O. BOX 1050 MCLEAN, VA	=		LANDSMAN	, ROBERT S			
			ART UNIT	PAPER NUMBER			
			1647	2-4			
			DATE MAILED: 09/11/2002	· - 7			

Please find below and/or attached an Office communication concerning this application or proceeding.

XHIBIT

Prosecution Docket Report

For: Annette S. Parent Country: For All Countries Start Date: 12/8/2002

End Date: 12/15/2002

Date Type:Both Due and Reminder Dates

Date Client/Matter (Pat/TM)	Action/Events Notes	Title/Mark Client	App - Reg No Filing - Issue Date	Country Status	Bill - Resp Party Other Attys
Due Date: 12/08/2002	Sequence Listing Due - 2 Mo.	MRE11: Modulation of Cellular Proliferation	PCT/US02/24422	PCT	KLB - DMW
021044-001310PC (Pai)		Rigel Pharmaceuticals, Inc.	7/31/2002	Pending	ASP
Due Date: 12/10/2002	Response to Final Office Action due	aPH Sensitive Potassium	09/519076	บร	KAW - ASP
018512-000130US (Pat)	(1st Deadline or Ext)	Channel in Spermatocytes ICAgen, Inc.	3/6/2000	Pending	ASP
Due Date: 12/10/2002	1 MO FORGN	Proteomics Approach to functional Genomics; Identification of New Classes of	60/348090	US	KLB · ASP
021044-003100US (Pat)		RbAp48 Interfacing Partners or	1/10/2002	Expired -	ASP
		Proteomics Approach to			
Due Date: 12/10/2002	File Non-Provisional Application - 1	functional Genomics; Identification of New Classes of	60/348090	US	KLB - ASP
021044-003100US (Pat)	IMPAKI	RbAp48 Interfacing Partners or	1/10/2002	Expired	ASP
		Rigel Pharmaceuticals, Inc.		110	
Due Date: 12/10/2002	4-Mo Foreign Filing Reminder	Neurotrophic Components of the ADNF I Complex	60/371961	Inactive -	EGW - ASP
13Z80W-00310003(rau)		National Institute of Health	41012002	Expired	7 KOT
Due Date: 12/10/2002	File Non-Provisional Application 4-	Neurotrophic Components of	60/371961	US	EGW - ASP
15280W-005100US (Pat)	MO Verminder	National Institute of Health	4/10/2002	Expired	ASP
Due Date: 12/11/2002	Check PAIR for 1st OA	HLA-DR2 Binding Peptides	10/012363	SO	KLB - ASP
014058-011610US (Pat)		Corixa Corporation	12/11/2001	Pending	ASP

Client/Matter (Pas/TM) Notes Client Riling - Issue Date Status Other Artys Due Date: 12/12/2002 3 MO EXT/ABAND-USP-FINAL Anti-Cancer Nucleic Acid & Protein Targets 09/693783 US Inactive - 20/19/2000 XAW - JMI. Due Date: 12/14/2002 3 MO EXT/ABAND-USP-FINAL Active Compounds of Bao-Ji-20/19/2000 10/19/2000 10/19/2000 Inactive - 20/19/2000 Warn for Anti-Diarrhea & 20/19/2000 10/19/2000 US ASP JMI. Active Compounds of Bao-Ji-20/19/2000 US ASP JMI. Inactive - 20/19/2000 Abandoned ASP JMI. Due Date: 12/14/2002 Amend Claims Call Cycle Proteins Associated Methods of Use Proteins Associated Methods of Use Proteins Associated Methods of Use Proteins Associated Profiles 10/19/2002 10/19/2002 EPO Proteins ASP Profiles with Protein Suppression Profiles 2/19/2001 2/19/2001 EPO Proteins ASP Profiles ASP Proteins ASP Profiles 10/19/2002 2/19/2002 EPO Proteins ASP Profiles ASP Proteins ASP Profiles 2/19/2002 EPO Proteins ASP Profiles ASP Proteins ASP Profiles 2/19/2002 EPO Proteins ASP Profiles EPO Proteins ASP Profiles 2/19/2002 EPO Proteins ASP Profiles EPO Proteins ASP Profiles EPO Proteins ASP Profiles EPO Protei	Date	Action/Events	Title/Mark	App - Reg No	Country	Bill - Resp Party
3 MO EXTI/ABAND-USP-FINAL Protein Targets Protein Targets Differences, Inc. Active Compounds of Bao-Ji- Wan for Anti-Distribea & 60/339752 Expired Cell Cycle Proteins Associated Methods of Use Expired Expired Expiression Profiles Expression Profiles Expression Profiles Expression Profiles Expression Profiles Expression Profiles Expression Profiles Difference User Di	Client/Matter (Pat/TM)	Notes	Client	Filing - Issue Date	Status	Other Attys
Frotein Targets LifeSpan BioSciences, Inc. Active Compounds of Bao-Ji- Wan for Anti-Distribea & 60/339752 Relieving Gastrointestinal Symptoms Cell Cycle Proteins Associated Amend Claims Al/12/2001 Expired Expired Expired US Al/15/2002 Published US Al/15/2002 Published Al/15/2002 Publish	Pine Date: 12/12/2002	I MO EXT/ABAND-LISP-FINAL	Anti-Cancer Nucleic Acid &	09/6937R3	US	KAW - IMI
LifeSpan BioSciences, Inc. Active Compounds of Bao-Ji-Wan for Anti-Discribe & 60/339752 US Relieving Gastrointestinal 12/14/2001 Expired	מוסוכרסם כרגבוס		Protein Targets	10/10/2000	Inactive -	ASD DAT
Active Compounds of Bao-Ji- Wan for Anti-Distribea & Releving Gastrointestinal Symptoms Cell Cycle Proteins Associated With RAD9, Compositions and Methods of Use Rigel Plarmaceuticals, Inc. Amo Foreign Filing Reminder Rigel Pharmaceuticals, Inc. A-Mo Foreign Filing Reminder Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. BAP-1: Methods of Assaying for Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. Rigel Pharm	01/4/3-003310US (Pat)		LifeSpan BioSciences, Inc.	10/19/2000	Abandoned	ASP JML
Foreign Filing Deadline Wan for Anti-Distribus & 60/339752 Expired			Active Compounds of Bao-Ji-			
Relieving Gastrointestinal Symptoms Symptoms Chinese University of Hong Kong Cell Cycle Proteins Associated With RAD9, Compositions and Methods of Use Rigel Pharmaceuticals, Inc. Pending - Profiles Methods of Assaying for 10/12373 Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. SAP-1: Methods of Assaying for Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Use Rigel Pharmaceuticals, Inc. Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Rigel Pharma	Due Dete: 12/14/2002	Foreign Filing Deadline	Wan for Anti-Distribes &	60/230752	US	VDA ACD
Symptoms Chinese University of Hong Kong Cell Cycle Proteins Associated Methods of Use Rigel Pharmaceuticals, Inc. Expression Profiles with Protein 2/15/2002 Pending - Pe	Due Date, Estantant	Totalin Time Permits	Relieving Gastrointestinal	701000	Inactive -	75-61
Chinese University of Hong Kong	016285-UU17UUUS (Pat)		Symptoms	12/14/2001	Expired	ASSP
Amend Claims Amend Claims Amend Claims Amend Claims Cell Cycle Proteins Associated With RAD9, Compositions and Methods of Use Rigel Pharmaceuticals, Inc. Pending - Published US Pending - Published US Pending - Published US Pending - Published Amo Foreign Filing Reminder Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. BAP-1: Methods of Assaying for Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. US Pending US Pending US Pending US Pending US Pending			Chinese University of Hong Kong			
Amend Claims Amend Claims With RAD9, Compositions and Methods of Use Rigel Pharmaceuticals, Inc.		,	Cell Cycle Proteins Associated			
Methods of Use Rigel Pharmaceuticals, Inc. Method for Correlating Gene Expression Profiles with Protein Expression Profiles with Protein 2/15/2002 Published Protein Ciphergen Biosystems, Inc. Protein Cell Cycle Modulators Rigel Pharmaceuticals, Inc. A-Mo Foreign Filing Reminder Rigel Pharmaceuticals, Inc.	Due Date: 12/14/2002	Amend Claims	With RAD9, Compositions and	01914663.8	Badina	KLB - ASP
Rigel Pharmaceuticals, Inc. Comparison Profiles Comparison Profiles	021044-005400BP (Pat)		Methods of Use	3/2/2001	renumg -	ASP
2-Mo Foreign Filing Reminder Expression Profiles with Protein 2/15/2002 Pending - Profiles			Rigel Pharmaceuticals, Inc.		r donsusu	
2-Mo Foreign Filing Reminder Expression Profiles with Protein 10/076967 Pending - Pending - Pending			Method for Correlating Gene		110	
A-Mo Foreign Filing Reminder	Due Date: 12/15/2002	2-Mo Foreign Filing Reminder	Expression Profiles with Protein	10/076967	Dading	KAW-
Ciphergen Biosystems, Inc. Ciphergen Biosystems Inc.	016866-005710US (Pat)		Expression Profiles	2/15/2002	Dishished	ASP
4-Mo Foreign Filing Reminder Cell Cycle Modulators Rigel Pharmaceuticals, Inc. 4-Mo Foreign Filing Reminder A-Mo Foreign Filing Reminder Rigel Pharmaceuticals, Inc. BAP-1: Methods of Assaying for Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. Rigel Pharmaceuticals, Inc. A/15/2002 US Pending			Ciphergen Biosystems, Inc.		r morranen	
4-Mo Foreign Filing Reminder 4-Mo Foreign Filing Reminder Rigel Pharmaceuticals, Inc. BAP-1: Methods of Assaying for Cell-Cycle Modulators Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. 4/15/2002 Pending Pending	Total 12/15/2003	A Ma Bassian Billian Bornindan	NP95: Methods of Assaying for	10/127568	110	שום פוע
4-Mo Foreign Filing Reminder 4-Mo Foreign Filing Reminder Rigel Pharmaceuticals, Inc. Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. 4/15/2002 Pending	TOO TOTAL STATE SOUTH	+Mo reteign ring remainer	Cell Cycle Modulators	000001	100	VID - OTV
4-Mo Foreign Filing Reminder Cell-Cycle Modulators Rigel Pharmaceuticals, Inc. BAP-1: Methods of Assaying for 10/12373} US Pending	021044-003400US (Pat)		Rigel Pharmaceuticals, Inc.	4/15/2002	Pending	ASP BLK
4-two roteign rating Keminuer Cell-Cycle Modulators Rigel Pharmaccuticals, Inc.			BAP-1: Methods of Assaying for	10/10071	100	W13
Rigel Pharmaceuticals, Inc. 4/13/2002	The Tate: 17/12/7007	4-Man Loreibit Little Keummer	Cell-Cycle Modulators	1072731	100	ZLB.
	021044-0030000-(Pat)		Rigel Pharmaceuticals, Inc.	4713/2002	rending	ASF

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Prosecution Docket Report

For: Annette S. Parent Country: For All Countries Start Date: 3/8/2003

End Date: 3/15/2003

Date Type:Both Due and Reminder Dates

Date Client/Matter (Pat/TM)	Action/Events Notes	Titte/Mark Client Nucleic Acids Encoding a G-	App - Reg No Flling - Issue Date	Country Status	Bill - Resp Party Other Attys
Due Date: 03/08/2003	Foreign Filing Deadline	Nucleic Acids Encoding a G- Protein Coupled REceptor Involved in Sensory	10/096144	US	dsv - Mvy
02307E-088721US (Pai)		Transduction The Regents of the University of California	3/8/2002	Published	ASP
Due Date: 03/08/2003	Check PAIR for 1st OA	Nucleic Acids Encoding a G- Protein Coupled REceptor Involved in Sensory	10/096144	US	KAW - ASP
02307E-088721US (Pat)		Transduction The Regents of the University of California	3/8/2002	Pending - Published	ASP
Due Date: 03/08/2003	2-Mo Foreign Filing Reminder	Synthesis & Structure - Activity Relationship Study of Potent Trypanocidal THIO Semicarbazone Inhibitors of	60/379366	US	KAW - BLK
02307E-125900US (Pat)		The Regents of the University of California	5/872002	Pending	ASP BLK
Due Date: 03/09/2003	Has International Search Report Been Received?	Compositions & Methods for Diagnosing & Treating Mental	PCT/US02/36683	PCT	WMS - TNB
020885-000210PC (Pat)	DOMA NAMED I AND	The Pritzker Organization, LLC	11/12/2002	Pending	ASP
Due Date: 03/10/2003 015280-290110US (Pat)	Notice of Appeal	Targeting Antigens to the MHC Class I Processing Pathway with an anthrax Toxin Fusion	09/853530 5/9/2001	US	GWC - ASP
		National Institutes of Health			

Due Date: 03/13/2003 15280W-004200EP (Pat)	Due Date: 03/13/2003 014058-012010US (Pai)	Due Date: 03/13/2003 014058-012010PC (Pai)	Due Date: 03/13/2003 014058-005200CZ (Pat)	Due Date: 03/10/2003 15280W-005100US (Pat)	Due Date: 03/10/2003 02307E-068511EP (Pat)	Due Date: 03/10/2003 021044-007500US (Pat)	Due Date: 03/10/2003 015280-290110US (Pat)	Date Client/Matter (Pat/TM)
Status Check Provide address for inventor SPONG, Catherine Y. This is not an official deadline.	Check PAIR for 1st OA	Status Check (PCT Demand Received?) Postcard rec'd 10-11-02/em. Demand Exp Mailed on 10/11/02 (kji);Has Demand been received?	Response Faxed/FedExed Declaration & POA on 1/31/03 (kji); Answer pending official letter. Extension of time is possible.	File Non-Provisional Application 1- Mo Reminder	Status Check (Filing Receipt Received?)	4-Mo Foreign Filing Reminder	Response to Final Office Action	Action/Events Notes
Compositions and Medicaments comprising Activity Dependant Neurotrophic Factor (ADNF) polypeptides for enhancing postnatal tearning and memory National Institute of Health	Heterologous Fusion Protein Constructs Comprising a Leishmania Antigen Corixa Corporation	Heterologous Fusion Protein Constructs Comprising a Leishmania Antigen Corixa Corporation	Immunodominant Acetylcholine Receptor Alpha Subunit Peptides, Complexes Thereof with MHC Class II Components and Their Use Corica Corporation	Neurotrophic Components of the ADNF I Complex National Institute of Health	Methyl Iodide as a Soil Furnigant The Regents of the University of California	Modulators of Leukocyte Activagtion, HCK Compositions and Methods of Use Rigel Pharmaceuticals, Inc.	Targeting Antigens to the MHC Class 1 Processing Pathway with an anthrax Toxin Fusion Protein National Institutes of Health	Title/Mark Client
01941783.1 5/31/2001	10/098732 3/13/2002	02/08 223 3/13/2002	PV 2002-3586 3/30/2001	60/371961 4/10/2002	9/19/1995	7/10/2002	09/853530 5/9/2001	App - Reg No Filing - Issue Date
EPO Pending - Published	US Pending	PCT Pending - Published	Czech Republic Pending	US Inactive - Expired	EPO Pending	US Pending	US Pending	Country Status
KAW - TNB ASP	KLB - ASP	KLB-KJI ASP	KLB - ASP ASP	EGW - ASP ASP	KAW - CAF	KLB - BLK ASP BLK	GWC - ASP ASP	Bill - Resp Party Other Attys

	021044-006500US (Pat)	Due Date: 03/15/2003 File Non-Provisional Application			01851Z-006810PC (Pat) Received?)	1	Status Check (International		018312-006010CA (Pat)	Due Date: 03/15/2003 Sequence Listing Due - 2 Mo.				021227-000110PC (Par) Appl'ns 1-Mo Reminder	Due Date: 03/14/2003 File IDS in Corresponding US	-	Client/Matter (Pat/TM) Notes	Date Action/Events
Rigel Pharmaceuticals, Inc.	Methods of Use	Activation, Compositions and	Modulators of Leukocyte	ICAgen, Inc.	Brain	Channel Proteins from Human	SL02 & SLO4, Novel Posassium	ICAgen, Inc.	Channel	Nucleotide-Gated Cation	CNG3B: A Novel Cyclic	Incorporated	Koronis Pharmaceuticals,	Disease	for the Treatment of Viral	Mutagenic Nucleoside Analogs	Client	Title/Mark
	3/15/2002	60/364437			8/15/2001	PCT/US01/25701			5/15/2001	2408847			2002/17/8	101000120100	BOTH TOO STORE		Filing - Issue Date	Ann - Reg No
Expired	- Inactive -		110	Published	rending -	PCI	7	,	Pending	Canada			Published	Pending -	PCT		Status	Complete
	ASP BLK	KLB - BLK			ASP	KAW-KJI			ASP	KAW - DMW			ASP	KLB - ASP			Other Attys	Den Dan Date